

GOVERNMENT OF ANDHRAPRADESH
ABSTRACT

Public Servants – Prohibition & Excise Department – Allegation of Criminal Misconduct against Sri Ch. Madhu Mohan Rao, Excise SHO, and other P&E officials for their involvement in the liquor syndicate case pertaining to East Godavari District - Case entrusted to Tribunal for Disciplinary Proceedings – W.P.No.21736 of 2021 filed by Sri Ch. Madhu Mohan Rao, AC, P&E Dept, challenging the charge memo issued by the TDP in TEC No.326 of 2013, dated 03.08.2018 - TDP repealed, Case transferred to CoI – Inquiry not completed within prescribed time - Hon'ble High Court orders dated 28.04.2023 in W.P.No.21736 of 2021 Implemented - Further action dropped against Sri Ch. Madhu Mohan Rao, AC, P&E Dept – Orders - Issued.

REVENUE (VIGILANCE.IV) DEPARTMENT

G.O.RT.No. 713

Dated: 03-10-2024
Read the following:

1. From the D.G., ACB, Lr.C.No.63/RCO-REG/2012 dated 06.11.2012 (Cr.No.3/RCO- RJY/2012).
2. Govt. Memo.No.49990/Vig.V(2)/2012-1, dated:16.01.2013.
3. Tribunal for Disciplinary Proceedings Charge Memo in TEC No.326/2013 Dated:03.08.2018.
4. Hon'ble High Court orders dated 24.02.2023 in W.P.No.21736 of 2021 filed by Sri Ch. Madhu Mohan Rao, AC, P&E Dept.
5. Act 29 of 2022 to repeal the Andhra Pradesh Civil Services (Disciplinary Proceeding Tribunal) Act, 1960 and to provide for matters connected therewith or incidental thereto published in A.P.Gazettee, Part-IV-B Extraordinary No.29, Amaravati, dt.22.12.2022.
6. G.O.Ms.No.98 GA (Ser.E) Dept, dtd 18.08.2023.
7. G.O.Rt.No.462& 463, Rev (Vig.IV) Dept, dtd 09.05.2023.
8. G.O.Rt.No.77, Rev (Vig.IV) Dept, dtd 23.01.2024.
9. U.O.Note No.49990 /Vig.V(2)/2012, Rev (Vig.IV) Dept, dtd 24.06.2024.
10. G.O.Rt. No. 1109 GA (SC.F) Dept, dated 24.06.2024.
11. Contempt Case No. 3343/2024 in WP No.21736 of 2021 filed by Sri Ch. Madhu Mohan Rao, AC, P&E Dept.

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ORDER:

In the reference 1st read above, the Director General, Anti-Corruption Bureau has furnished report on certain allegations against Prohibition & Excise Officers involved in liquor syndicate case pertaining to East Godavari district including Sri Ch. Madhu Mohan Rao, Excise SHO. While he was working as Excise SHO, involved in liquor syndicate case as A.O.30 along with other Prohibition & Excise officials in crime No.3/RCO-RJY/2012. The Director General, Anti-Corruption Bureau has recommended for placing him on his defence before Tribunal for Disciplinary Proceedings among others.

2. After examining the recommendations of the Director General, Anti-Corruption Bureau, Government have placed Sri Ch. Madhu Mohan Rao, Excise SHO for his defence before Tribunal for Disciplinary Proceedings among others vide reference 2nd read above. The TDP has issued Charges against Sri Ch. Madhu Mohan Rao, Excise SHO vide reference 3rd read above.

3. Whereas Sri Ch. Madhu Mohan Rao, Assistant Commissioner, P&E Dept was filed W.P.No.21736 of 2021 before the Hon'ble High Court challenging the charge memo and prayed for the action of the respondents in not concluding the disciplinary proceedings initiated vide TEC No 326 of 2013, Dt: 03.08.2018.

4. In the reference 5th & 6th read above, the Government repealed the Tribunal for Disciplinary Proceedings and the cases pending before the Tribunal were transferred to the COI. These consequences have been placed before the Hon'ble High Court by filing counter affidavit.

5. In reference 4th read above, the Hon'ble High Court, in its order dated 28.04.2023, while disposing of the above W.P. No. 21736 of 2021, passed the following orders (operative portion)

"Considering the aforesaid including the admitted facts related to delay in concluding the disciplinary proceedings against the petitioner and the settled legal preposition related to quashing of disciplinary proceedings/charge-sheet, this court is not inclined to interfere at this stage. However, considering the facts of the case, the disciplinary authority is directed to complete the disciplinary proceedings, as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order or else it is needless to say that the charge framed against the petitioner/employee stands quashed automatically without reference to any further order of this Hon'ble Court"

6. In the reference 7th read above, Sri R.P.Thakur, IPS (Retd.), Member, COI appointed as Inquiring Authority in the case of Sri Ch. Madhu Mohan Rao, Excise SHO and other (24) P&E officials for conducting inquiry with direction to submit the inquiry report within 4 months. Sri K.Pridhvi Raju, Panel Advocate appointed as Presenting Officer. Further, as the COI Sri R.P.Thakur's, IPS (Retd.) tenure ended on 09.09.2023, the case was reassigned to Sri K. Venkata Rami Reddy, Member, COI vide reference 8th read above. Further, Sri K. Venkata Ramireddy, Member, COI, has tendered his resignation and General Administration (SC.F) Department have accepted his resignation vide reference 10th read above.

7. Whereas Sri Ch. Madhu Mohan Rao, Assistant Commissioner, P&E Dept., has filed Contempt Case No. 3343 of 2024 praying that the Hon'ble Court may be pleased to summon the respondents for committing contempt of orders of the Hon'ble Court passed in W.P.No 21736 of 2021 Dt 28.04.2023 passed by the Hon'ble Single Judge under section 10 to 12 of Contempt of Courts Act and pass such other order or orders as Hon'ble Court may deem fit and proper in the circumstances of the case.

8. The Government, after careful examination of the entire matter, has observed that, as per the Hon'ble High Court's orders, the inquiry was to be completed within three months, failing which Charge Memo No. 326 of 2013

would stand quashed. Since the inquiry is not completed within the prescribed time frame, the charge memo has automatically been quashed according to the Hon'ble High Court's orders. Accordingly, in accordance with the orders of the Hon'ble High Court Government hereby order to drop further action against Sri Ch. Madhu Mohan Rao, Assistant Commissioner, P&E Dept in departmental case pending before the Commissioner of Inquiries.

9. The Commissioner of Prohibition and Excise shall take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**MUKESH KUMAR MEENA
PRINCIPAL SECRETARY TO GOVERNMENT**

To

Sri Ch. Madhu Mohan Rao, Assistant Commissioner, P&E Dept through
Commissioner, Prohibition and Excise, Andhra Pradesh, Vijayawada.

The General Administration (COI-R) Department, Building No.5, A.P. Secretariat,
Velagapudi.

The Commissioner of Prohibition and Excise, Andhra Pradesh, Vijayawada.

Copy to:

The Director General, Anti-Corruption Bureau, Andhra Pradesh, Vijayawada.

The Secretary to Vigilance Commissioner, Andhra Pradesh Vigilance
Commission, Andhra Pradesh Secretariat, Velagapudi.

The Government Pleader for Services, Andhra Pradesh High Court, Amaravathi.
Sc/Sf.

//FORWARDED::BY ORDER//

SECTION OFFICER